

Article 3.N:

E-C, Environmental Conservation District

*Article 3.N:***E-C, Environmental Conservation District****A. Purpose and Intent**

The Town of Smithfield is characterized by abundant water areas, tidal flats, wetlands and marshes that are irreplaceable natural resources. These are deemed essential to remain in their natural state to both to the ecological systems of local tidal rivers and to the unusual natural and aesthetic environment of the Town. The purpose of the E-C, Environmental Conservation District is to preserve and maintain the undeveloped character of these areas, to protect the waters from inappropriate obstruction to water-borne commerce and recreation, to guard against hazard and damage resulting from periodic flooding, to promote and enhance environmental conservation activities and, in general, to provide for reasonable and harmonious use of these special land and water areas included within the district. In addition to the regulations herein, the district incorporates lands and waters which are governed by the FP-O District and the CB-O District.

B. Permitted Uses

1. Governmental activity on wetlands owned or leased by the Commonwealth of Virginia or a political subdivision thereof.
2. Noncommercial catwalks, piers, boathouses, boat shelters, fences, duck blinds, wildlife management shelters, footbridges, observation decks and shelters and other similar structures provided that such structures are constructed on pilings so as to permit the reasonably unobstructed flow of the tide and to preserve the natural contour of the marsh.
3. Cultivation and harvesting of shellfish and worms for bait.
4. Commercial fishing and trapping, noncommercial outdoor recreational activities, including hiking, boating, hunting, horseback riding, swimming, skeet and trap shooting, shooting preserves, commercial or noncommercial trapping, fishing and shell fishing.
5. Cultivation and harvesting of agricultural or horticultural products.
6. Grazing and hay operations.

7. Conservation, repletion and research activities of the Virginia Marine Resources Commission, the Virginia Institute of Marine Science, Commission of Game and Inland Fisheries and other related conservation agencies or private conservation areas or wildlife preserves.
8. Construction or maintenance of aids to navigation which are authorized by governmental authority.
9. Normal maintenance, repair or addition to presently existing roads, highways or the facilities of any person, firm corporation, utility, Federal, State, County, or Town abutting on or crossing wetlands, provided that no waterway is altered and no additional wetlands are covered.

C. Uses Permitted by Special Use Permit

1. Commercial boat docks, fishing piers and marinas.
2. Excavation or filling, dumping, dredging, ditching or grading or any such activity for any purpose which may destroy or tend to damage or alter a wetlands area.
3. Public utility buildings, treatment plants, water towers, pumping or regulator stations, storage yards, substations and power transmission lines.
4. Accessory buildings and uses.
5. Facilities and structures necessary for rendering public utility service, including poles, wires, transformers and the like for normal electrical power distribution or communication services and pipelines or conduits for electrical, gas, sewer or water service.

D. General Development Requirements

1. There are no minimum lot size, yard and setback standards or maximum height standards in the E-C District except as may be required in a particular case by the Health Official or by other boards or agencies under applicable laws and ordinances.
2. Off-street parking and loading are to be discouraged and design standards and space requirements for particular uses that do not apply in the E-C District.

3. All uses in the E-C District shall require a site plan.